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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,)	2:14-CR-00185-LDG-GWF
)	
)	
Plaintiff,)	
)	
v.)	
)	
JAMES ELLIS PAYNE,)	
)	
Defendant.)	
_____)	

STIPULATION FOR EXTENSION OF TIME

IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United States Attorney, and Phillip N. Smith, Jr., Assistant United States Attorney, counsel for the United States of America, and Heidi A. Ojeda, Assistant Federal Public Defender, counsel for Defendant JAMES ELLIS PAYNE, that the date for the Government to file a response to the Defendant's Motion to Suppress (Docket #29) be extended for two (2) weeks.

This stipulation is entered for the following reasons:

1. The Defendant's Motion was filed and served on January 12, 2015. Undersigned counsel for both the Government and the Defendant were preparing for a suppression hearing in the matter of *United States v. Charles Cooper*, 2:14-cr-228-JAD-CWH, which occurred on January 29, 2015.
2. Additionally, due to the press of business, Government counsel has not had adequate time to fully brief the issues contained within the Defendant's Motion to Suppress.

1 3. The Defendant is incarcerated, but he does not object to the continuance of the
2 Government's response deadline.

3 4. The additional time requested herein is not sought for purposes of delay, but
4 merely to allow the Government adequate time to prepare an appropriate response to the
5 Defendant's Motion to Suppress.

6 5. Additionally, denial of this request for continuance could result in a miscarriage
7 of justice.

8 6. This is the first stipulation filed herein to continue the Government's response
9 deadline.

10 DATED: January 29, 2015.

11
12 /s/
13 PHILLIP N. SMITH, JR.
14 Assistant United States Attorney
15 Counsel for the United States

 /s/
HEIDI A. OJEDA
Assistant Federal Public Defender
Counsel for Defendant JAMES ELLIS PAYNE

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

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Defendant.)
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FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The Defendant's Motion was filed and served on January 12, 2015. Undersigned counsel for both the Government and the Defendant were preparing for a suppression hearing in the matter of *United States v. Charles Cooper*, 2:14-cr-228-JAD-CWH, which occurred on January 29, 2015.

2. Additionally, due to the press of business, Government counsel has not had adequate time to fully brief the issues contained within the Defendant's Motion to Suppress.

3. The Defendant is incarcerated, but he does not object to the continuance of the Government's response deadline.

4. The additional time requested herein is not sought for purposes of delay, but merely to allow the Government adequate time to prepare an appropriate response to the Defendant's Motion to Suppress.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice.

